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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA
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6 CHARLES LEE RANDOLPH,

7 Petitioner,

8 v.

9 WILLIAM GITTERE, *et al.*,

10 Respondents.
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Case No. 3:08-cv-00650-LRH-CLB

**ORDER GRANTING
MOTIONS FOR EXTENSION OF TIME
(ECF NOS. 78, 80)**

13 In this capital habeas corpus action, the petitioner, Charles Lee Randolph,
14 represented by appointed counsel, was due to file his second amended habeas petition
15 by April 13, 2020. See Order entered October 15, 2019 (ECF No. 67) (April 12 is a
16 Sunday).

17 On March 24, 2020, Randolph filed a motion for extension of time (ECF No. 78),
18 requesting an extension of time to October 9, 2020—a 179-day extension—to file his
19 second amended petition. Randolph's counsel states that the extension of time is
20 necessary because of delays caused by the COVID-19 pandemic. This would be the
21 first extension of this deadline. The respondents do not oppose the motion for extension
22 of time. The Court finds that Randolph's motion for extension of time is made in good
23 faith and not solely for the purpose of delay, and that there is good cause for the
24 extension of time requested. The Court will grant Randolph's motion for extension of
25 time.

26 On March 24, 2020, Randolph also filed a motion for leave to conduct discovery
27 (ECF No. 79). On April 6, 2020, Respondents filed a motion for extension of time (ECF
28 No. 80), requesting an extension of time to April 21, 2020, to respond to the motion for

1 leave to conduct discovery. Respondents' counsel states that this extension of time is
2 necessary because of his obligations in other cases and because of delays caused by
3 the COVID-19 pandemic. The Court finds that Respondents' motion for extension of
4 time is made in good faith and not solely for the purpose of delay, and that there is good
5 cause for the extension of time requested. The Court will grant Respondents' motion for
6 extension of time. The Court will also extend, *sua sponte*, the time for Randolph to file a
7 reply in support of his motion for leave to conduct discovery.

8 **IT IS THEREFORE ORDERED** that Petitioner's motion for extension of time
9 (ECF No. 78) is **GRANTED**. Petitioner will have until and including **October 9, 2020**, to
10 file his second amended habeas petition.

11 **IT IS FURTHER ORDERED** that Respondents' motion for extension of time (ECF
12 No. 80) is **GRANTED**. Respondents will have until and including **April 21, 2020**, to
13 respond to Petitioner's motion for leave to conduct discovery (ECF No. 79). **Petitioner**
14 **will then have 20 days to file a reply in support of his motion.**

15 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
16 proceedings set forth in the order entered September 11, 2017 (ECF No. 36) will remain
17 in effect.

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19 DATED this 8th day of April, 2020.

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22 LARRY R. HICKS
23 UNITED STATES DISTRICT JUDGE
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